

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA**

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| IN RE: | : | |
| | : | |
| ED'S BEANS, INC., D/B/A | : | Bankruptcy Case No. 20-22974-CMB |
| CRAZY MOCHA, | : | |
| CRAZY MOCHA COFFEE, CRAZY | : | |
| MOCHA COFFEE COMPANY, | : | |
| KIVA HAN, KIVA HAN COFFEE, | : | |
| KH AND KHC, | : | |
| | : | |
| Debtor. | : | Chapter 11 |
| | : | |
| | | |
| WILLIAM BARRON., : | : | Docket No. ____ |
| | : | |
| Movant, | : | Related Docket No. 171, 173 & 197 |
| | : | |
| v. | : | |
| | : | Hearing Date: Jan. 19, 2021 at 2:30 p.m. |
| ED's BEANS, INC., aka KIVA HAN | : | |
| COFFEE, aka CRAZY MOCHA, | : | Response Date: January 8, 2021 |
| | : | |
| Respondent. | : | |

**STIPULATION AND CONSENT ORDER ON MOTION FOR RELIEF FROM STAY OF
WILLIAM BARRON**

Ed's Beans, Inc. d/b/a Crazy Mocha, Crazy Mocha Coffee, Crazy Mocha Coffee Company, Kiva Han, Kiva Han Coffee, KH, and KHC (the "**Debtor**") and William Barron ("**Barron**") hereby Stipulate, Consent and Agree to the following:

WHEREAS, on December 22, 2020, Barron filed a Motion for Relief from Stay [Dk. 171] seeking relief from the automatic stay to pursue its rights relating to the 4525 Liberty Avenue Lease in Bloomfield

WHEREAS, the Debtor filed an Objection to the Motion for Relief From Stay [Dk. 197].

WHEREAS, a hearing was held on the Motion for Relief From Stay on January 19, 2021 (the "**Hearing**").

WHEREAS, on the record on the hearing, the Debtor and Barron advised the Court that they were close to reaching a resolution of the Motion for Relief From Stay.

NOW THEREFORE, the Debtor and Barron desire to confirm that resolution and hereby stipulate, consent and agree to the following:

1. Within thirty (30) days of January 19, 2021, the Debtor will have filed with the Bankruptcy Court either in one or more combined motion or by separate motion a motion to approve bid procedures, a sale motion and/or a motion to approve the assumption and assignment of leases in and relating to the sale of the Crazy Mocha stores (the “**Motions**”);
2. If the Motions are filed within the time frame set forth above in item 1, the Barron motion for relief will be continued to the date on which the Motions will be heard, but no later than 60 days from January 19, 2021; and
3. If the Motions are not filed within the time frame set forth above in item 1, upon filing of an affidavit of default, Barron will be granted relief from stay.
4. The hearing scheduled for February 4, 2021 is hereby cancelled.

[SIGNATURE PAGE TO FOLLOW]

AGREED TO AND ACCEPTED BY:

Date: February 2, 2021

LEECH TISHMAN FUSCALDO & LAMPL, LLC

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APPROVED:

BY THE COURT:

Carlotta Bohm
Chief United States Bankruptcy Judge